

Notice of Allowability

Application No.

09/697,483

Examiner

Erick Rekstad

Applicant(s)

DAKSS ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed July 7, 2004.
2. ☒ The allowed claim(s) is/are 52-57,65-71 and 73.
3. ☒ The drawings filed on 21 March 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

DETAILED ACTION

This is an allowance for application no. 09/697,483 in response to the amendment filed on July 7, 2004 in which claims 52-57, 65-71 and 73 are presented for examination.

Response to Amendment

The cancellation of claims 58-64 has been noted.

Applicant's remarks, see page 10, filed July 7, 2004, with respect to claims 52-57 and 73 have been fully considered and are persuasive. The amendment to claims 52 and 73 have overcome the 35 USC 102(b) rejection as being anticipated by Narita et al.

Allowable Subject Matter

Claims 52-57, 65-71 and 73 are allowed.

The following is an examiner's statement of reasons for allowance:

As noted in the previous Office Action claims 65-71 were found allowable after applicant's amendment filed on April 5, 2004.

As noted in the previous Office Action, US Patent 4,748,512 to Armstrong teaches a method of encoding at least a portion of an image, comprising the steps of:

(a) defining a region of an image having pixels at locations identifiable by two non-collinear axes, each pixel having an appearance (Col 4 Lines 24-50, Fig 1 and 2);

(b) analyzing axis-wise said pixels to determine sequences of pixels having substantially identical appearance (Col 5 Lines 41-43);

(c) comparing a sequence of pixels occurring along a first axis-wise traverse with a sequence of pixels occurring along a successive axis-wise traverse (Col 5 Lines 44-47);

(d) in the event that said comparison discloses two or more successive traverses having an identical number of distinct appearances in an identical progression, recording a number corresponding to the number of such successive traverses (22, Fig. 4a), recording for said first traverse a series of ordered pairs comprising a first value (26, Fig. 4a) representing the appearance and a second value (28, Fig. 4a) representing the number of successive pixels having said appearance, and recording for each successive traverse a series of values corresponding to said second value of each ordered pair (Col 5 Lines 1-64);

(e) in the event that said comparison fails to disclose two or more successive traverses having an identical number of distinct appearances in an identical progression, recording the number one and recording for said traverse a series of ordered pairs comprising a first value representing the appearance and a second value representing the number of successive pixels having said appearance (Col 5 Lines 3-4, Lines 17-35) ; and

(f) repeating steps (c), (d) and (e) until said pixels of said region are completely encoded (Col 5 Lines 36-67, Col 6 Lines 1-23, Fig 1 and 2).

As shown above for step (d), Armstrong teaches storing the values for a first line and the number of identical traverses following the first traverse. By the fact that the lines are identical the second value has been stored for each successive traverse. It

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would have been obvious to one of ordinary skill in the art at the time of the invention that Armstrong stores the number of identical rows therefore the second values, of the ordered pairs, for each successive traverse is recorded. Armstrong does not teach the step (f) further including the limitation "wherein the recording of each successive traverse includes recording the series of values corresponding to said second value of each ordered pair without recording the first value representing the appearance". This feature along with the other features of the claims overcomes the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erick Rekstad whose telephone number is 703-305-5543. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 703-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Erick Rekstad 
Examiner
AU 2613
(703) 305-5543
erick.rekstad@uspto.gov


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800